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IN THE

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AND

EXECUTI[illegible]

OF

[illegible]omas Lut[illegible]

Who [illegible]bar[illegible]ully Murthered [illegible]

John Clark of *Philadelphia*,

And was Executed at *Salem* in *West-Jersey*

[illegible] 23d of *February*, 169[illegible]

[illegible]

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BINDING NUMBER OF 1901. 4238

The Tryal, Condemnation, Confeſſion and Execution of *Thomas Lutherland*, who barbarouſly Murthered the Body of *John Clark* of *Philadelphia*.

SInce there can be nothing more ſeaſonable than a right Information and underſtanding of Publick Acts, and leſt this ſo publick Tryal ſhould be miſrepreſented, it was thought neceſſary, for the ſatisfaction of Rational men, to make it more publick.

At *Silem Town*, in the County of *Salem*, aud Province of *Weſt-Jarſey*, the 16 and 17 dayes of *February*, 169[illegible] before

John Worlidge, Preſident,
George Deacon,
Roger Carrary,
} Juſtices.

The Perſons that were ſummonſed for Jurors, appearing, were impannelled.

Clark, Call over the Jury. Which was done, and Silence commanded. The Jury took their Averment.

The Indictment Read.

"THomas Lutherland, Thou ſtandeſt here Indicted by the "Name of *Thomas Lutherland*, late of *Pennſylvania*,

" and now of the Town and County of *Salem*, in the " Province of *West-Jarsey*, Carpenter, for that thou didst " on or about the 12th day of *November* last past, in the " Night time, contrary to the Peace, Crown and Dignity " of our Soveraign Lord and Lady, *William* and *Mary*, " King and Queen of *England*, *&c.* Not having the Fear of " God before thine Eyes, Wickedly, Maliciously and Felo- " niously enter the Boat of *John Clark*, late of *Philadelphia*, " in the Province of *Pennsilvania*, Merchant, then Riding " near *Salem* Landing, and didst then and there break open, " and Felloniously take and carry away the Goods of the " said *John Clark*, to the full Value of Fifteen Pound Eight " Shillings and Eleaven Pence: And further, thou didst " then and there, with Force and Arms, VVillfully, Ma- " liciously and Barbarously, for lucre of the said Goods, " inhumanely Murder and Destroy the said *John Clark*; " for both which said Facts thou art required to plead, " *Guilty*, or *Not Guilty*.

Clark, What sayest thou, *Thomas Lutherland*, art thou Guilty, as thou standest Indicted, in manner & form aforesaid, or not Guilty?

Lutherlad, *Not guilty of the Murther, but guilty of the Fellony.*

Cl. By whom wilt thou bv tryed?

Lutherland, *By God and the Country.*

The Prisoner was asked, If he would make any Exceptions against any of the Jury? He excepted against four, who were set by, and four others set in their places. [*Note*, The Jury at this time had not taken their Averment.]

President. Read the Information you have taken.

Cl. Reads. In the beginning of *November* last, *John Clark* late of the City of *Philadelphia*, was Trading at *Salem* with several

Several ſorts of Goods, according to his uſual manner; and upon the 12 day of the ſaid Month, his Boat was found on Shore at *Sandy Point*, near the Mouth of *Salem Creek*; *John Clark* was not in the Boat; the Boat, and Goods that were in her, were ſecured, and Information given to the Juſtices and Sheriff concerning them, who went where the Boat then lay, and viewing the Goods, there were ſerveral Perſons preſent, that were with *John Clark* the day before in his Boat, and they affirmed, *That they did ſee ſeveral Parcels of Goods then in the Boat, which Goods were conſiderable, and were now miſſing:* Whereupon the Juſtices ſuppoſed that the Boat was Robbed and *John Clark* Murthered for the love of his Goods: And having juſt cauſe to ſuſpect the Priſoner at the Bar, he being a Perſon convicted in *England*, at Sea, and at *Philadelphia*, and being of evil Name and Fame in *Salem*, there was a Warrant iſſued forth for the ſearching all ſuſpicious places; by virtue whereof, the Conſtable, with his Aſſiſtance, went to the Houſe of the Priſoner, where they found of the ſaid *John Clark*'s Goods to the value of 15 *l.* 18 *s.* 11 *d.* the Priſoner not being then in the houſe, but within a ſhort time was taken coming home, and then was brought with the ſaid Goods before two Juſtices of the Peace, who examined him, How he came to thoſe Goods? He anſwered,

Priſoner. *I bought the Goods of* John Clark *the ſame Night he went away from* Salem *Landing, and they coſt me* 81. 5 s. *I paid him all but* 35 *s. that I owe him ſtill, and he gave me Credit for ſo much in his Book.*

Juſtice. We have examined his Book, and do not find you have Credit there.

Priſ. *I am ſure he entered it in his Book.*

Juſt. What Specie did you pay *John Clark* with?

Priſ.

Pris. *I paid him 36 s. in Wampum, one piece of Eight, two half Pieces, nine single and two double Bits, and two or three old Casks.*

Just. All this that you say, you have paid, amounts not to 5 *l.* surely you are mistaken in your account.

Pris. *I am sure it is as I say, that I bought the Goods of* John Clark, *or I wish the Earth may open and swallow me alive.*

The Evening of the same Day the Prisoner was examin'd by the Justices the second time, and who answered, *viz.*

Pris. *In the Morning before day I was at* Salem *Landing to buy some Tape, when I came there* Clarks *Boat was gone, then I went upon the Bank to* Windham, *thinking to overtake the Boat there, and did see the Boat at* Sandy-point, *then I took a Canow from* Windham Landing, *and went to the Boat, where I fouud no Body, then I went into the Boat, took the Goods, and brought them on Shore, and came to my own House; By that time the Sun was half an hour high in the Morning.*

Just. Call *Mary Lutherland.* ——She appeared.

Just. Where was your Husband that Night, and at what time went he from home?

M. L. My Husband went from home in the Evening, and came not home until almost Morning; then he came to Bed, and lay until the usual time that he used to go to work.

Just. *Thomas Lutherland*, where were you from the Evening till near Morning? To which he could give no account.

Whereupon he was committed to Prison, from whence he once made his escape, but by the diligence of the Sheriff was soon taken.

Clark reads. Upon the 11 day of *January*, 1691, 2, the Body of *John Clark* was found near *Windham* Landing: The

The Coroner Impannelled an Inqueſt, who upon viewing the Corps, and diligently ſearching the ſame, they found his Neck was very limber, & much ſhrivelled upon the skin, and ſeemed more blew than other parts of his Body. They ſent for the Priſoner; when he was brought, he was bid to touch the Corps, the which he did do, and wiſhed moſt execrable Wiſhes, *That God would ſend ſome ſuddain Judgment upon him, if ever he murthered* John Clark; ſaying, *if he had murthered him, he would bleed afreſh*; ſaying, *Poor innocent man! why ſhould I deſtroy him?*

The Corroners Inqueſt, ſeventeen in Number, withdrew to conſider of their Verdict.

They ſent for the Priſoner, asked him to tell them, how he came to the fore-mentioned Goods? He ſaid, he had been with *John Clark* in the Evening, and bought ſome Threed Buttons of him for ſome old Cask, and when he came home, his Wife told him, ſhe wanted ſome blew Tape, and ſome Mettle Buttons for the Children; whereupon he went to the Town Landing, and finding the Boat gone, he went to *Windhame*, and from thence he ſaw the Boat near near *Salem Creeks Mouth*, then there was three Canows at *Windham* Landing, and he took one of them, which was a knotty Canow, and went to the Boat, finding no body in it, he took the Goods, and put them into the Canow, brought them to *Windham* Landing about half an hour before Sun riſing; he hid the *Engliſh Goods* in *Windham* Marſh, and carried a parcel of Cheeſe home that Morning, and fetcht the other Goods home about two or three dayes after.;

Several Perſons that were of the ſaid Inqueſt, were at *Windham* the ſame Morning (about Sun riſing,) that the Priſoner ſaid he landed the Goods there, and they do affirm,

That

That there were three Canows there, but no ſuch Canow as the Priſoner deſcribed, neither could any of thoſe Canows that lay there be brought ſo near the Landing, as they lay, at the time the Priſoner mentioned; for about Sun riſing, the Water was fallen ſeveral Yards from them.

All which Self-Contradictions in his ſeveral Examinations, and divers Circumſtances being duely conſidered, the Inqueſt brought in their Verdict, *viz.*

That John Clark *came to his Death by Violence of Strangling, and that* Thomas Lutherland *is guilty of the Murther.*

King's Attorney.

„ May it pleaſe the Court, The Priſoner at the Bar is „ now to be tryed, and that by the good old Laws of „ *England*, the beginning of which Tryal is his Preſentment, „ which is already found by the grand Inqueſt. He is now „ to come to his Tryal by Twelve men of his Peers, and „ of the Neighbourhood legally conſtituted, who, I truſt, „ will do Juſtice indifferently; and *Magna Charta*, *The* „ *Petition of Right*, and many Statutes do confirm this way „ of Tryal; and I hope the Court, and all that hear and „ ſee their Proceedings, will receive full ſatisfaction in the „ Legality and Fairneſs of their Proceedings againſt him, „ and himſelf the benefit of Juſtice and Law.

„ Let none ſay, The Priſoner is not tryed and judged „ according to the Fundamental Laws of *England*: The „ Judgment is given in by twelve men of the Neighbour- „ hood (*vid. Cooks com. upon Littleton*) „ the Juſtices are „ but to inform the Jury in matters of Law, and to pro- „ nounce the Sentence and Judgment written againſt the „ Priſoner, and order the ſame Judgment to be put in „ Execution.

„ Where there is a Superiour Power, inferiour Magi-

„ ſtrates

„ ſtrates have their Power limitted; but among Equals
„ in Authority (as it is in this Province of *Weſt-Jarſey*)
„ there is no Superiority, therefore thoſe Magiſtrates that
„ are in Power here, ought to defend the Weak, puniſh the
„ Wicked, and be juſt to all, acting as there is need, and as
„ the Times, Perſons and Accidents do require, and accor-
„ ding to the Exigency, Diſtreſs and Neceſſity of the caſe.
„ In vain are good Laws made, if there be none to put them
„ in Execution.

„ May it pleaſe this Court, and you Gentlemen of the
„ Jury, You are here for the Trying and Judging of *Thomas*
„ *Lutherland*, Priſoner at the Bar, for his notorious Mur-
„ thering of *John Clark*, late one of the King and Queen
„ of *England*'s Subjects, and for the Fellonious taking and
„ carrying away his Goods: He hath been a notorious
„ Fellon in *England*, at Sea, in *Philadelphia*, and in this
„ County of *Salem*, ſtands now before you to receive the
„ good of Juſtice.

„ The King and Queen of *England* have loſt a Subject, who
„ was in Health at the common Landing place in *Salem*
„ Town after Sun ſet the 11th day of *November*, 1691.
„ and on the next Morning the ſaid *John Clark* was not to
„ be found, but his Boat robbed, and divers parcels of
„ goods felloniouſly taken & carried away by the Priſoner,
„ as himſelf has confeſſed. That *John Clark* was murthered
„ by the Priſoner at the Bar, ſeventeen Reputable Perſons,
„ on the Coroners Inqueſt, has given it in their Verdict;
„ and this Fellony has relation to the Murther, for the
„ Murther was committed for love to the Goods. If it be
„ found that *A. B.* was murthered in the Night, and the
„ Goods that he had with him at the time of his Death, ſhall
„ be found in the poſſeſſion of *C. D.* the next Morning be-

„ fore Sun riſing, it does naturally and neceſſarily imply,
„ That *C. D.* murthered *A. B.* for the love of his Goods:
„ Had the Priſoner taken the Goods, and ſpared the mans
„ Life, the man would have diſcovered him, for he knew
„ him; therefore, becauſe otherwiſe, take the Goods with-
„ out being diſcovered, he took away the mans Life alſo.

„ The Priſoner himſelf has diſproved himſelf in his
„ ſeveral Examinations: All Circumſtances concurs with
„ the Grand Inqueſts Judgment, *That the Priſoner at the*
„ *Bar is guilty both of the Murther and Fellony charged upon*
„ *him.* Firſt, he ſaid, he brought the Cheeſe home in the
„ Evening, and left the Engliſh Goods in *George Hazlwoods*
„ Shallop till the next Morning. Another time he ſayes,
„ he brought the Cheeſe home from *Windham Landing,*
„ and hid the *Engliſh Goods* there in the Marſh for two or
„ three dayes.

„ All his Serpentine Turnings, and Windings, and Self-
„ contradictions are but like *Iriſh Quag-Mires* that have no
„ ſollid Ground, or Reaſon: He is incorporated into Evil
„ by a long habit, in ſuch ſort, that his Underſtanding it
„ ſelf approveth it, and conſenteth thereunto; His heart
„ is ſo hardened, that Wickedneſs is therein rooted and
„ framed, and as it were naturalized, end his Soul infected
„ and wholly tainted therewith. All his Evaſions whereby
„ he endeavours to avoid the Puniſhment, are but the
„ tying an Artificial Knot in the Halter, whereby to
„ ſtrangle his Conſcience.

„ The Truth or Falſeneſs, reſpectively, lies in the ſtrength
„ or weakneſs of the Arguments that are brought in de-
„ fence of them: There is not any of the Priſoners Con-
„ feſſions that he hath made at ſeveral times, but one is
„ repugnant to the other; all his ſtudy cannot make his

„ words

„ words ſpeak Reaſon, but doubtful and ambiguous words,
„ with particular Reſerves, argues a baſe Mind.

„ It is uſual and neceſſarily lawful to judge of Cauſes by
„ the Effects, that naturally and neceſſarily flow from them:
„ The Man is found Murthered, and his Goods ſome
„ found in the Priſoners houſe, ſome hid in the Hay, and
„ ſome hid among Corn out of the Houſe: Evil Actions
„ ſhew an evil Intent, and both put together declares
„ Guilt.

„ Concerning my ſelf, I bear no Malice to the mans
„ Perſon, than I do to my deareſt Friend; but I hate that
„ curſed Principle of Cruelty and Fellony, which hath ſo
„ long harboured in him.

„ And now, as the Truth is, I muſt conclude him guilty
„ of the Murther and Fellony charged upon him; and that
„ he who hath made himſelf a Preſident in theſe parts of
„ the World, in committing ſuch Wickedneſs, I humbly
„ deſire, that this Court, for Juſtice ſake, would make him
„ an Example for others, for time to come, that men may
„ hear and fear, and do no more ſo wickedly; That he,
„ who would not be a Pattern to other Trades-men to live
„ honeſtly in this Life, may be a Preſident of Juſtice by his
„ Death.

„ When the Priſoner was firſt apprehended, the Juſtice
„ commanded the Conſtable to ſearch his Pookets, from
„ whence the Conſtable took a ſmall parcel of Papers tyed
„ together, and the Priſoner ſaid, they were his own
„ Papers; but when they were opened, the firſt Paper
„ viewed, was a Bill from *John Gillman* to pay *John Clark*
„ thirty Shillings; Then a large Paper was taken out of
„ his Pocket, and he ſaid, *That was his Deed for a Town Lot*
„ *he had lately purchaſed*; but being viewed, it appeared to

be

„ be a Deed for Land that *John Clark* had purchaſed: Be-
„ ing asked, how he got thoſe Writings? he ſaid, *He found*
„ *them upon the Way.* I am fully ſatisfied, the Priſoner
„ deſerves to dye: And it is a ſpecial uſe of Juſtice to con-
„ demn one that is accuſtomed to Wickedneſs, and ſuffers
„ Vice to gather ſtrength in him, and he grows obſtinate
„ in it, that ſuch an one may ſerve for an Example unto
„ others. If this Wickedneſs ſhould eſcape with Impunity,
„ it will be hazardous for a ſingle Perſon to travel by
„ Land, or by Water, eſpecially in the Night; which,
„ for better Security, I hope this Court, which is a Habita-
„ tion of Juſtice, and Principles of Freedom, will do ſpeedy
„ Juſtice, that this Priſoner, who has been ſo often con-
„ victed as a Malefactor, may be removed out of the way,
„ that the People may enjoy Liberty and Freedom from
„ ſuch an inhumane Devourer as the Priſoner is: For you
„ can no more convert him, than you can new create him;
„ but our comfort is, that his Wickedneſs will end with
„ himſelf, and that we ſhall have cauſe to thank God, that
„ we have Magiſtrates in Authority, that are not afraid to
„ do Juſtice.

Clark. Thomas Lutherland, You have heard the Evidence againſt you, what have you further to ſay for your ſelf?

Lutherland. *I am guilty of the Fellony, but not of the Murther.*

The Preſident having given the Jury their Charge, they went forth to conſider their Verdict, and an Officer was atteſted to attend them, and to keep them without Meat and Drink until they ſhould agree.

The Court adjourned until eight of the Clock the next Morning.

February the 17th. the Court being ſet, the Priſoner was

for

ſet to the Bar, and the Jury called over by their Names.

Clark. Are you agreed of you Verdict.

Jury. *Yes.*

Clark. Who ſhall ſpeak for you?

Jury. *Our Fore-man.*

Clark. What ſay you? Look upon the Priſoner, Is *Thomas Lutherland* Guilty in manner and form as he ſtands indicted, or not Guilty?

Fore-man. *Guilty.* And ſo the Jury ſaid all, one by diſtinctly.

The Attorney General demanded Judgment againſt the Priſoner.

A Caſe of this Nature never happening in this part of the Country before, the Court was very cautious in paſſing Sentence of Death.

Whereupon the Grand Inqueſt, the Jury of Life and Death, and the Coroners Inqueſt, and the moſt part of the Country there preſent, cauſed the following Petition to be preſented to the Juſtices.

Whereas Thomas Lutherland *is found guilty of the Fellonious Taking and carrying away the Goods of* John Clark, *and of willfull Murther, as by the Judgment of Fifty Two Perſons, Jurors, doth appear. And foraſmuch as Juſtices of the Peace, by the Commiſſion of the Peace, are not impowered to paſs Sentence of Death, where there are ſuperiour Courts, but ſeeing we have no ſuperiour Court in this Province, we muſt apply our ſelves to you for Juſtice.*

The great Charge and Trouble it hath been to this County in ſecuring the ſaid Lutherland, *and the hazard of his eſcape, the Encouragement which the Impunity of this Notorious and Heinous Fact, may give to other Wicked People to do the like,*

whereby their Majeſties loving and peaceable Subjects may be deſtroyed, both in their Lives and Eſtates, conſtrains us to call to you for Juſtice, and that you paſs ſentence of Death on the ſaid Lutherland, *according to Law, and give order for the Execution thereof. And we whoſe Names are here-under written do joyn and accord with you in the ſame, with unanimous Conſent.* In Teſtimony *whereof, We have hereunto ſet our Hands this* 17 *Day of* February, 1691.

This was Signed by about one hundred Perſons of the beſt Yeomandry in the County of *Salem.*

In anſwer to the ſaid Petition, after deliberate Conſideration, the Juſtices proceeded as followeth, *viz.*

Preſident. Thomas Lutherland, Thou haſt been Indicted, Arraigned, and pleaded *Not Guilty* of the Murther of *John Clark*; and for Tryal thereof, haſt put thy ſelf upon thy Country, which Country are theſe who have found thee guilty: What canſt thou ſay for thy ſelf why Judgment and Execution of Death ſhould not paſs againſt thee?

Priſoner. *I have nothing to ſay; I am guilty of the Fellony, but not of the Murther; I think I am hardly dealt with; I never knew that the King's Attorney ſhould plead againſt a Perſon for Fellony.*

Preſident. Thomas Lutherland, Thou art here found guilty, 1*ſt*. by the Corroners Inqueſt, 2*dly*, By the Grand Jury, and *laſtly*, by the Jury of Life and Death. And now having nothing to ſay, why Judgment ſhould not paſs againſt thee,

Now it reſteth to pronounce the Judgment, which I wiſh thou hadſt not been this day to have received; but ſince thou haſt been found guilty of the Murther and Fellony

Fellony charged againſt thee, *Thou ſhalt be had to the place from whence thou came, From thence to the place of Execution, and there thou ſhalt be Hanged by the Neck till thy Body be Dead, Dead, Dead; and God have Mercy upon thy Soul.*

Preſident. What time do you deſire to prepare your ſelf for Death?

Priſoner. *So ſoon as you pleaſe.*

The Court gave him five dayes time, and gave order for his Execution the 23d day of the aforeſaid Moneth, *February.*

The Firſt Day of the Week after his Condemnation, the Priſoner ſent for the High Sheriff, and confeſſed to him, *That he Murthered John Clark*; and ſaid, he would make an open Confeſſion at the place of Execution.

The next Morning the Priſoner ſent for the Clark to take his Confeſſion in Writing, which is as followeth, *Viz.*

The Priſoner's Confeſſion.

Priſoner. I have been a great Sinner, and have continued in my ſins until this fortieth Year of my Age, and have committed more ſins than man could almoſt commit, for *Drunkenneſs*, *Whoring*, *Swearing*, *Tempting Young Women to Debauchery*, and then leave them; then for *Theft*, and now for *Murder*. I was convicted of Fellony in *England*, for which I was Tranſported into *Pennſilvania*. I conſented to the ſtealing of ſeveral parcels of Goods on Ship-board, which is the ſame as doing the Fact: In *Pennſilvania* I was convicted of ſeveral Thefts, but could take no warning by all this.

I pray, good People take care of your Goods, and leave them not in Our houſes carelelly, which are great Temptations

whereby their Majeſties loving and peaceable Subjects may be deſtroyed, both in their Lives and Eſtates, conſtrains us to call to you for Juſtice, and that you paſs ſentence of Death on the ſaid Lutherland, *according to Law, and give order for the Execution thereof. And we whoſe Names are here-under written do joyn and accord with you in the ſame, with unanimous Conſent.* In Teſtimony *whereof, We have hereunto ſet our Hands, this* 17 *Day of* February, 1691.

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The next Morning the Priſoner ſent for the Clark to take his Confeſſion in Writing, which is as followeth, *Viz.*

The Priſoner's Confeſſion.

Priſoner. I have been a great Sinner, and have continued in my ſins until this fortieth Year of my Age, and have committed more ſins than man could almoſt commit, for *Drunkenneſs*, *Whoring*, *Swearing*, *Tempting Young Women to Debauchery*, and then leave them; then for *Theft*, and now for *Murder*. I was convicted of Fellony in *England*, for which I was Tranſported into *Pennſilvania*. I conſented to the ſtealing of ſeveral parcels of Goods on Ship-board, which is the ſame as doing the Fact: In *Pennſilvania* I was convicted of ſeveral Theſts, but could take no warning by all this.

I pray, good People take care of your Goods, and leave them not in Out-houſes careleſly, which are great Temptations

tations to ſinners, the Devil takes ſuch opportunities to perſwade ſinners to Steal and Rob: I declare, I never took any Goods out of a Houſe that was lockt. Good People pray take warning by my Example, I have been a Cloak to many; but conſider, the Pitcher goes not ſo often to the Well, but comes home broke at laſt.

What I ſaid in denying the Murther of *John Clark*, I find God hath ſhewed an Example by me: Think not, that Murther will ever be hid, the very Leaves of the Trees will diſcover Murther: When I touched the Murthered Corps of *John Clark*, I was afraid the Blood would have flown in my face: Pray take heed, Young and Old, this hard heart of mine is the greateſt Enemy I have. I forgive all.

When I ſold *John Clark* the empty Casks, he ſhewed me ſeveral ſorts of Goods for my pay: I was to go over the River to receive ſome pay due to me, and the Devil tempted me to take away this mans Goods, intending to ſell them there; but I knew I could not take away the Goods without killing the man: This was three or four dayes before he went to *John Gillmans*; when he was gone there, I began to bleſs the Lord, he had prevented the Wickedneſs in my heart, thinking he had been gone; but when I went down to the Landing, I met him, and he brought me my Sack, and told me, if I wanted any Goods he had, I ſhould freely have them. I was ſorry for ſeeing him, for then the Temptation came ſtrong upon me: I went down with him, and bought ſome Threed Buttons; and as I went away from the Boat, I told him, he had a cold place: He anſwered, he had a warm Cabbin; and I bid him wrap himſelf warm. As I was going home, my heart miſ-gave me, and I thought, *Why ſhould*

I deſtrey this Innocent Creature! When I came home, there was *Nicholas Phillpot* to buy ſome Tools of me, which I ſold him; ſo he ſupped with me, and after Supper asked me to go to the Ordinary to drink a pot of Beer; I went with him, and we drank two pots of Beer, and one Gill of Rum: After I parted with him, and as I went to go home, the Devil's Temptation came ſo ſtrong, I put my foot over the fence, intending to fetch a Bag to put the Goods in; but I thought my Wife would betray me, ſo with-drew my foot, and went down to the Boat thinking I ſhould find ſomething there to put the Goods in: When I came to the Boat the man was in the Cabbin, I counterfeited my Voice, and asked, Whoſe Boat it was? He anſwered, *Mine:* I asked, where he was going? He ſaid, *Up the River:* I told him, I muſt go to *New-Caſtle*, he ſaid, *He would carry me, if I would pay him:* I told him, I would pay him nothing, I muſt have your Boat; ſo he put up his head, I ſuppoſe to cry out: I bid him put down his Head; he ſaid, *He would be ſtill*; ſo I took an end of a Roap, and put about his Neck; he cryed, *Friend do not deſtroy me, he that Created me, Created thee; Remember thy Creator and Redeemer, and have Mercy upon me, as you expect Mercy from God:* So I told him, I would not deſtroy him; but he ſaid, *I think you intend to Choak me.* I asked him, if he had got any Money? He ſaid, he had got ſome Wampum; ſo he cryed, *Spare my Life, and take my Goods*; but I pulled both ends of the Roap together (he cryed, *Lord have Mercy upon my Soul! Lord have Mercy upon my Soul!*) till he was dead; then I took the Keyes out of his Pocket, and unlockt his Cheſts, and put his Goods into a Sack; but before I removed them, came *William Penton*, and ſome others, and he cryed, *Let us call John Clark*;

Clark; ſo I lay down in the Waſte of the Boat, and covered my ſelf with ſome Sacks: When they were gone, I removed the Goods into *George Hazlwood's* Sloop, and rowed *Clarks* Boat down to *Windham*, and hawled him over board, but could not make him ſink, which put me into great fear; then I jumpt on ſhore with the Sprit of the Boat, and left the Boat a drift; ſo returned back to the Sloop, and removed the Goods, and hid them in a Hay-ſtack, and in two or three dayes removed them into my own Hay-ſtack, and afterwards, unknown to my Wife, brought them into my Chamber, where they were found; and upon the finding of theſe Goods, I was committed.

I confeſs my great Sin in Marrying a Wife in this Country, having a Wife and Child at *Clay Cotten* in *Northamptonſhire*. I have been very diſobedient to my Parents, a great Breaker of Sabbaths, which was the cauſe of my habit of ſin: I had rather go to an Ale-houſe than to any Church. Pray Young People take warning by my ſhamefull end: Keep the Sabbath truly: Go to any Religious Meetings, whether of your own Perſwaſion or not. The Devil is alwayes at hand to tempt Sinners. I have had great Oppreſſion upon my Spirit ſince I was in this Priſon; and I thought I ſhould never Repent or Confeſs, until almighty God ſoftned my hard Heart and gave me Grace to Repent. I beg all good People to joyn in Prayers with me; I have great need of your Prayers.

Not long after the Clark had taken his Confeſſion, he was carryed in a Cart, guarded by the Sheriff and his men to the place of Execution; All the way as he

was

was carryed, and at the place of Execution, he made a Repetition of the aforesaid Confession, and gave good Exhortation to all People, to take warning by his Example, earnestly desiring, both Young and Old, to be carefull in keeping the Sabbaths; and all Young People to be Dutiful to their Parents. So praying about a quarter of an hour, and desiring all there present to joyn with him; and having forgiven the Executioner, the Cart went away, and he dyed immediately.

A True Coppy, By me,

Samuell Hedge.
Clark.

FINIS

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